

AMENDMENTS TO THE DRAWINGS

The attached drawings include changes to Figs. 21, 31, and 34. The first replacement sheet, which includes Fig. 21, replaces the original sheet including Fig. 21. In Figure 21, the value in column R4 at row Net6 was changed to " $f4 + i4$ ".

The second replacement sheet, which includes Figs. 30-32, replaces the original sheet including Figs. 30-32. In Fig. 31 the reference number "315" was added to reference the table it is displaying.

The third replacement sheet, which includes Figs. 33-34, replaces the original sheet including Figs. 33-34. In Fig. 34 the reference number "814" was added to reference the table it is displaying.

REMARKS

With this amendment, the specification has been amended, Figs. 21, 31, and 34 have been amended, claims 3, 9, and 14 have been amended and claims 1, 2, 7, 8, and 13 have been cancelled. Claims 3-6, 9-13, and 14 are pending in the application. Based on the following remarks, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Drawings

1. In the Office Action on page 2, Figs. 31, and 34 are objected to because they do not have reference numerals for the tables which they are displaying. Reference number “315” was added to Fig. 31 and reference number “814” was added to Fig. 34.

Fig. 21 was objected to because the value in column R4 at row Net6 read “ $f4 - i4$ ” instead of “ $f4 + i4$ ”. The value in column R4 at row Net6 in Fig. 21 was changed to “ $f4 + i4$ ”.

Specification

2. In the Office Action on page 3, the specification is objected to for containing several informalities. The applicant thanks the Examiner for the careful reading of the application. The changes indicated by the examiner have been made.

Claim Rejections under 35 U.S.C. § 112

3. In the Action on page 4, claims 3 and 14 are rejected as being indefinite under 35 U.S.C. § 112, second paragraph. With respect to claim 3, the Action asserted that it was not clear what “the number of packets calculated” in line 36 refers to. In order to clarify, claim 3 has been amended to include “first” in line 19 and “the second” in line 36.

With respect to claim 14, the Action asserted that it was not clear what “the number of packets calculated” in line 38 referred to. In order to clarify, claim 14 has been amended to include “second” in line 33 and “the second” in line 40.

Thus, claims 3 and 14 are definite.

Claim Rejections under 35 U.S.C. § 101

4. On pages 4-6 of the Office Action, claims 1-12 and 14 are rejected under 35 U.S.C. § 101 for failing to include tangible results and therefore lacking practical applications. Claims 1, 2, 7, 8, and 13 have been canceled rendering the rejections moot.

Claim 3 has been amended to include “managing the model of router-to-network traffic distribution matrix at a traffic distribution manager” at lines 38 - 39. As per claims 4-6, the Action rejected claims 4-6 as being dependent from rejected claim 3. Because the rejections of claim 3 are overcome, the rejections of claims 4-6 are also overcome.

Claim 9 has been amended to include “managing the model of router-to-network traffic distribution matrix” at lines 39-40. As per claims 10-12, the Action rejected claims 10-12 as being dependent from rejected claim 9. Because the rejections of claim 9 are overcome, the rejections of claims 10-12 are also overcome.

Claim 14 has been amended to include “managing the model of router-to-network traffic distribution matrix” at lines 41-24.

Thus, claims 3-6, 9-12, and 14 recite statutory subject matter.

Claim Rejections under 35 U.S.C. § 102

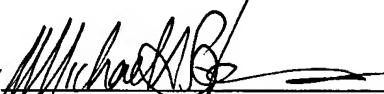
5. On pages 6-9 of the Office Action, claims 1, 7, and 13 are rejected under 35 U.S.C. § 102 as being anticipated by Dieboll et al. In addition claims 1, 7, and 8 are also rejected under 35 U.S.C. § 102 as being anticipated by Wolf et al. Claims 1, 7, 8, and 13 have been canceled rendering the rejections moot.

Conclusion

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By 
Michael A. Sartori, Ph.D.

Registration No.: 41,289
VENABLE LLP
P.O. Box 34385
Washington, DC 20043-9998
(202) 344-4000
(202) 344-8300 (Fax)
Attorney/Agent For Applicant

Attachments

MAS/KDP/vlc
DC2/803124